IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4707 OF 2005

D.Jesus Leo. ... Applicant.

Versus.

State of Maharashtra. ... Respondent.

Shri S.V.Marwadi for the Applicant.

Shri K.V.Saste, A.P.P. for the Respondnet-State.

Shri S.A.P.Thomas for the Intervenor/Org.Complainant.

CORAM : ABHAY S. OKA, J.

DATED : 28th Sept., 2005.

P.C.:

1. Heard the learned Advocate appearing for the Applicant and the learned A.P.P. for the State. I have also heard the learned Advocate for the intervenor/ original Applicant. The learned Advocate for the Applicant and the Advocate for the Intervenor have filed consent terms duly signed by the Applicant and the Intervenor. The Applicant is the husband of the Intervenor. The consent terms show that all pending disputes between the parties have been resolved amicably and the parties agreed to file appropriate proceedings in appropriate Courts.

2. The said document is taken on record and marked "X" for identification.

3. In view of the said settlement, case is made out for

grant of anticipatory bail. Hence the following order is passed:

(i) In the event of the arrest of the Applicant in connection with C.R.No.128 of 2005 registered at Vashi Police Station, the Applicant shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.5000/- or cash bail in the same amount.

(ii) The Bail is granted subject to condition that the Applicant will attend the concerned Police Station as and when required.

(iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/ Investigating Agency. The Applicant shall not tamper with the prosecution evidence.

(iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the

case at the time of trial.

(v) This order will enure to the benefit of the Applicant only till charge sheet is filed. Thereafter he will be free to apply to the appropriate Court for appropriate relief.

(vi) Application is disposed of in above terms.

(vii) The parties to act upon an authenticated copy of this order.

Judge.